

DETAILED ACTION

Drawings

The modifications to the drawings were received on 09/25/2009. These modifications are accepted by the Examiner.

In view of the amendment filed on 09/25/2009, the Examiner withdraws Drawing objections of the previous Office action.

Specification

The modifications to the specification were received on 09/25/2009. These modifications are accepted by the Examiner.

In view of the amendment filed on 09/25/2009, the Examiner withdraws Specification objections of the previous Office action.

Claim Objections

The modifications to the claims were received on 09/25/2009. These modifications are accepted by the Examiner.

In view of the amendment filed on 09/25/2009, the Examiner withdraws claims objections to claims 1-29 of the previous Office action.

Claim Rejections - 35 USC § 101

The modifications to the claims were received on 09/25/2009. These modifications are accepted by the Examiner.

In view of the amendment filed on 09/25/2009, the Examiner withdraws claim rejections under 35 USC § 101 to claims 10-11 of the previous Office action.

Allowable Subject Matter

Claims 1-29 are allowed.

The following is an examiner's statement of reasons for allowance: claims 1-9 and 11-29 are allowed because a comprehensive search of prior art failed to teach, either alone or in combination, in a digital communication system for transmitting a modulated bit stream comprising modulated user data and modulated dummy data, wherein the modulated user data is represented by symbols from a symbol alphabet M, the modulated dummy data is represented by a symbol m_0 , comprising generating symbols q_0, \dots, q_j randomly from a predefined symbol alphabet Q being a subset of the symbol alphabet M, scrambling the modulated bit stream by performing bitwise modulo-2 addition between the modulated bit stream and the randomly generated symbols q_0, \dots, q_0 from Q, and transmitting said scrambled modulated bit stream, wherein the predefined symbol alphabet Q is defined so that the transmit power level of the dummy data is substantially lower than the transmit power level of the user data, as the applicant has claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUAN A. TORRES whose telephone number is (571)272-3119. The examiner can normally be reached on 8-6 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Juan Alberto Torres
10/02/2009

/Juan A Torres/
Primary Examiner, Art Unit 2611